

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

CASE NO. 10-08844 (MCF)

HOSPITAL DAMAS INC.

CHAPTER 11

Debtor

OPPOSITION TO MOTION REQUESTING ORDER TO SHOW CAUSE

TO THE HONORABLE COURT:

COMES NOW, interested party, Dr. Jesús Monasterio, represented by its undersigned attorney and to this Honorable Court, very respectfully, states and prays:

1- That on September 30th 2010, the above captioned debtor Hospital Damas, Inc. filed a motion requesting an order to show against Dr. Jorge Guzmán Villalonga and his conjugal partnership, Luis M. Ortega García., Esq. Dr. Jesús Monasterio and his conjugal partnership, Anselmo Irizarry Irizarry, Esq., Rafael Mayoral Morales Esq., Olga Maldonado and her son Josued Narvaez Maldonado and Rafael García Rodón Esq., for allegedly having violated the automatic stay provided for at 11 U.S.C. 362 (a).

2- The facts are simple. Debtor filed its chapter 11 bankruptcy case on September 24, 2010 at 4:26 pm.¹

3- The motion to which debtor makes reference in its motion requesting a show cause order, the one that purportedly violates the stay, was filed on September 24, 2010 at 4:17 pm. (See: Exhibit one that is joined to this motion and made part hereof.)

4- An automatic stay can not be violated by filing a motion when the bankruptcy case does not yet exists.

5- The filing of debtor's motion merely wastes this Honorable Court's time and the time of the parties against whom a remedy is sought. If the Court is to impose sanctions and attorneys fees, the same should be imposed upon the party who in an irresponsible manner moves the Court for a remedy that it should know it is not entitled to.

¹The filing hour is conviniently omitted in debtor's motion.

WHEREFORE, it is hereby respectfully requested that an order be entered denying the motion requesting order to show cause filed by debtor.

In San Juan, Puerto Rico, this first day of October, 2010.

CERTIFICATE OF SERVICE: I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the Assistant US Trustee, and all participants of CM/EMF.

/s/ F. DAVID GODREAU
USDC NO. 123207
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United States Bankruptcy Court
District of Puerto Rico**Notice of Bankruptcy Case Filing**

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 11 of the United States Bankruptcy Code, entered on 09/24/2010 at 4:26 PM and filed on 09/24/2010.

HOSPITAL DAMAS INC
2213 PONCE BY PASS
PONCE, PR 00717
Tax ID / EIN: 66-0183310



The case was filed by the debtor's attorney:

CHARLES ALFRED CUPRILL
CHARLES A CURPILL, PSC LAW OFFICE

356 CALLE FORTALEZA
SECOND FLOOR
SAN JUAN, PR 00901
787 977-0515

The case was assigned case number 10-08844-MCF11 to Judge MILDRED CABAN FLORES.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page www.prb.uscourts.gov or at the Clerk's Office, U.S. Post Office and Courthouse Building, 300 Recinto Sur Street, Room 109, San Juan, PR 00901.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

CELESTINO MATTAMENDEZ

Rafael Mayoral

From: prd_docketing@prd.uscourts.gov
Sent: Friday, September 24, 2010 4:18 PM
To: prd_docketing@prd.uscourts.gov
Subject: Activity in Case 3:09-cv-01240-CCC Maldonado et al v. Hospital Damas et al Motion for Joinder

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

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United States District Court**District of Puerto Rico****Notice of Electronic Filing**

The following transaction was entered by Mayoral-Morales, Rafael on 9/24/2010 at 4:17 PM AST and filed on 9/24/2010

Case Name: Maldonado et al v. Hospital Damas et al
Case Number: 3:09-cv-01240-CCC
Filer: Conjugal Partnership Monasterio-Doe
Document Number: 41

Docket Text:

****CASE PARTICIPANTS**** Joint MOTION for Joinder **JOINT MOTION REQUESTING SUMMARY ENFORCEMENT OF SETTLEMENT AGREEMENT** filed by Rafael Mayoral-Morales on behalf of Conjugal Partnership Monasterio-Doe (Mayoral-Morales, Rafael)

3:09-cv-01240-CCC Notice has been electronically mailed to:

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9/24/2010